

REMARKS

Applicants have studied the Office Action dated July 3, 2003 and have made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 1-34 are pending. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks is respectfully requested.

In the Office Action, the Examiner:

- (1-5) Rejected claims 2-3, 9, and 24, and 19, and 34 under 35 U.S.C. §112, second paragraph as being indefinite for insufficient antecedent basis;
- (6-23) Rejected claims 1-8, 10, 16-19, 20-25, and 31-34 under 35 U.S.C. §102(e) as being unpatentable over Stephanou (U.S. 6,505,166); and
- (24-32) Rejected claims 11, 14, 15, 26, 29 and 30 under 35 U.S.C. §103(a) as being unpatentable over Stephanou (U.S. 6,505,166) in view of Gardner et al. (U.S. 6,064,978).

(1-6) Rejection under 35 U.S.C. §112, second paragraph

As noted above, the Examiner Rejected claims 2-3, 9 and 24, and 19, and 34 under 35 U.S.C. §112, second paragraph as being indefinite for insufficient antecedent basis. More specifically, the Examiner rejected claims 2-3 for lack of antecedent basis of the term "the item of information." The Applicants respectfully traverse this rejection. The proper antecedent basis of this term is found in independent claim 1 as originally filed (Emphasis Added):

an expert ranking database for maintaining a list of experts
in one or more categories along with an item of information
indicative of one or more factors selected from a group of factors
consisting of timeliness of an expert in providing answers and
quality of answers provided by an expert;

Accordingly, the Applicants respectfully request the Examiner withdraw this rejection under 35 U.S.C. §112, second paragraph.

Regarding claims 9 and 24 each of these claims have been carefully amended with correct antecedent basis. Accordingly, the Applicants submit that the Examiner's rejection under 35 U.S.C. §112, second paragraph has been overcome and respectfully request the Examiner remove the rejection for claims 9 and 24 as well.

Regarding claims 19 and 34 each of these claims have been carefully amended with to clarify what was meant by "sending a generating web page..." to "generating and sending a web page..." Accordingly, the Applicants submit that the Examiner's rejection under 35 U.S.C. §112, second paragraph has been overcome and respectfully request the Examiner remove the rejection for claims 19 and 34 as well.

(6-23) Rejection under 35 U.S.C. §102(e)

As noted above, the Examiner rejected claims 1-8, 10, 16-19, 20-25, and 31-34 under 35 U.S.C. §102(e) as being unpatentable over Stephanou (U.S. 6,505,166). The Applicants have submitted an affidavit under 37 CFR 1.131 herewith to overcome Stephanou. The effective filing date of November 23, 1999 is not more than one year from the filing date of the above referenced patent. Accordingly, it is respectfully submitted that the rejection of claims 1-8, 10, 16-19, 20-25, and 31-34 under 35 U.S.C. §102(e) should be withdrawn.

(6-23) Rejection under 35 U.S.C. §103(a)

As noted above, the Examiner rejected claims 11, 14, 15, 26, 29 and 30 under 35 U.S.C. §103(a) as being unpatentable over Stephanou (U.S. 6,505,166) in view of Gardner et al. (U.S. 6,064,978). The Applicants have submitted an affidavit under 37 CFR 1.131 herewith to overcome Stephanou. The effective filing date of November 23, 1999 is not more than one year from the filing date

of the above referenced patent. Accordingly, it is respectfully submitted that the rejection of claims 1-8, 10, 16-19, 20-25, and 31-34 under 35 U.S.C. §102(e) should be withdrawn.

Claims 1-34 as now presented contain only those limitations of originally filed. Therefore, this amendment does not narrow the scope of claims 1-34 within the meaning of *Festo*¹.

CONCLUSION

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

In this Response, Applicants have amended certain claims. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

Applicants acknowledge the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment is limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

¹ Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., No. 00-1543 (122 S. Ct. 1831; 2002 U.S. LEXIS 3818; 62 U.S.P.Q.2D (BNA) 1705)(Decided May 28, 2002).

Applicants respectfully submit that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. No new matter has been added. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

PLEASE CALL the undersigned if that would expedite the prosecution of this application.

Respectfully submitted,

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